

**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR CRIMINAL COMPLAINT**

I, Melissa A. Macaron, a Special Agent with the Federal Bureau of Investigation, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**I. INTRODUCTION**

**A. Agent Background**

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been since December 2020. I am currently assigned to the Winchester Resident Agency out of the FBI Richmond Field Office and am a member of the 1-81 Human Trafficking and Crimes Against Children Task Force (“I-81 HTTF”). As an FBI Special Agent, I investigate a variety of violations of criminal law, including crimes against children, human trafficking, civil rights, and bank robberies, among others.

2. As a law enforcement officer, I have experience in numerous investigative techniques, including, but not limited to, visual surveillance; witness and subject interviews; consensual monitoring; analyzing records associated with social media accounts, IP addresses, phone numbers; and the execution of search warrants.

**B. Sources of Information**

3. I have personally participated in this investigation and have obtained the facts set forth in this affidavit through my participation in the investigation described below, including from oral and written reports of other law enforcement officers, and from records, documents, and other evidence obtained during this investigation. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me

concerning this investigation. Further, this affidavit reflects my current understanding of facts relating to this investigation, but my understanding may change in the future as the investigation proceeds and new information is gathered.

## **II. TARGET OFFENSES**

4. This affidavit sets forth facts and suggests reasonable inferences from those facts, establishing that there is probable cause to believe that on or about June 26, 2023, Willy Alexander KORTHALS (“KORTHALS”) committed the offense of attempted transportation of obscene matter to a minor, in violation of 18 U.S.C. § 1470 with respect to a purported 9-year-old female.

5. The elements of the Target Offense are as follows:

- a. That the defendant knowingly used the mail or any means of facility of interstate commerce to transfer obscene matter;
- b. The defendant believed that he was transferring the matter to an individual less than 16 years old;
- c. The defendant knew at the time of the transfer the general nature of the contents of the matters; and
- d. The matter is obscene.

## **III. PROBABLE CAUSE**

### **A. KORTHALS Reaches out to OCE on KIK**

6. As part of an undercover operation conducted by the I-81 HTTF, an online covert employee (hereinafter, “OCE”) used a covert social media account on Kik<sup>1</sup> to target subjects engaged in child exploitation offenses, including but not limited to the production and distribution of child pornography. The OCE targeted “active parent groups.” Based on my training and

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<sup>1</sup> KIK Messenger, commonly called KIK, is a free-ware instant messaging platform capable of multi-media communications. KIK users are identified by unique usernames. The application allows a user to transmit and receive messages, photos, videos, sketches, mobile web pages, and other content after users create and register a username.

experience and the training and experience of the OCE, “active parent” refers to a parent or guardian who sexually abuses or sexually exploits their minor child.

7. The OCE is an FBI Task Force Officer. Prior to the operation, the OCE received training on being an OCE. The OCE is a certified OCE with the FBI specializing in child online sexual exploitation and is familiar with and follows the FBI’s policies controlling what the OCE can and cannot do during operations while acting as an OCE for the FBI. In addition, the OCE participated in numerous investigations and prosecutions based on the OCE’s investigations of the online sexual exploitation of children.

8. During the operation referenced in this Affidavit, and at all relevant times, the OCE was located in Winchester, Virginia, which is in the Western District of Virginia.

9. As part of this undercover operation, the OCE set up a Kik profile posing as an adult who had access to a 9-year-old daughter (hereinafter, “UC Daughter”). The OCE posted an undercover profile in a Kik chatroom and subsequently responded to subjects who direct messaged the OCE through the Kik application and indicated a desire to sexually exploit or sexually abuse children.

10. Specifically, in this case, on May 5, 2022, FBI OCE joined a Kik chat room for “Active Parents,” the name of the group was “Loving Family,” of which an individual utilizing the Kik username “alex154956” and Kik display name “Alex K” was a member. OCE posted in the public group chat thread, “anyone want to come to Virginia to have sex with my daughter?”<sup>2</sup> Through direct messages, Kik user Alex K responded to OCE’s group message and asked the OCE where the OCE was located and how old the OCE’s daughter was. OCE responded that he was

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<sup>2</sup> Unless otherwise noted, the text appears in this affidavit as it did in the communications with KORTHALS.  
MACARON AFF. IN SUPPORT OF CRIM. COMPL. 3

located at the “top of va” and asked where KORTHALS was located. KORTHALS responded that he was in “NC.” KORTHALS then asked again how old OCE’s daughter was and OCE repeated that she was “9.”

11. As explained below, Alex K was later identified as KORTHALS. This affidavit will therefore refer to “Alex K” by his real name, KORTHALS.

**B. KORTHALS’S Communications with OCE and UC Daughter**

12. KORTHALS communicated with OCE through direct messages on Kik and later transitioned to text message. During a conversation with OCE, KORTHALS asked to talk with UC Daughter, the purported 9-year-old daughter of OCE. KORTHALS began communicating with UC Daughter through text message. OCE also controlled the UC Daughter account and was in the Western District of Virginia while utilizing the UC Daughter account. Through direct messages on Kik and through text messages, KORTHALS repeatedly requested sexually explicit images from OCE of UC Daughter and asked OCE questions about how OCE groomed<sup>3</sup> UC Daughter.

13. KORTHALS also told OCE that he had previously been sexually active with a minor child as young as 6 years old before.

14. During his conversations with UC Daughter, KORTHALS repeatedly made statements regarding the sexual activity that KORTHALS wanted UC Daughter to engage in. An example of a conversation between KORTHALS and UC Daughter is below:

UC Daughter: If you came here what would we do

KORTHALS: You’d suck my c\*\*k then I’d f\*\*k your p\*\*\* and a\*\* cum in you then piss

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<sup>3</sup> In my training and experience, “grooming” means the actions taken by an abuser to prepare a child to engage in sexual acts with the intention of committing a sexual offense.

all over your face

UC Daughter: Omg

UC Daughter: Really

UC Daughter: U don't care I'm young

KORTHALS: Yes. I'd hold you against the wall while I strip you naked also

15. Some of the sexual activity KORTHALS discussed included degrading UC Daughter and using violence against her. For example, on May 12, 2022, KORTHALS instructed OCE to punish UC Daughter for not having sex with OCE the night before. KORTHALS told OCE to punish UC Daughter by stripping her and smacking her vagina with a wooden spoon. KORTHALS told OCE this would remind UC Daughter who was in charge.

16. In May 2022, KORTHALS told OCE that KORTHALS was in the military and to tell UC Daughter that it was UC Daughter's "patriotic duty" to give KORTHALS "her holes."

17. On June 14, 2022, and August 1, 2022, KORTHALS indicated that he understood that UC Daughter was only 9 years old. Examples of the conversations are below:

KORTHALS: How pissed would you be if you were older and got knocked up f\*\*\*ing me?

UC Daughter: Nooooo

KORTHALS: Your dad said he'd blame a neighbor kid for getting you pregnant lol

KORTHALS: Just think 13 14 year old UC Daughter<sup>4</sup> having a baby growing inside her belly

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<sup>4</sup> Here, KORTHALS used UC Daughter's name. "UC Daughter" is used to protect the identity of the undercover account.

August 1, 2022:

UC Daughter: What ur gonna get me when I turn 10

KORTHALS: I don't even know when your birthday is

UC Daughter: Oct 12

UC Daughter: I want something nice

KORTHALS: We'll see

18. KORTHALS groomed UC Daughter by encouraging her to watch pornography depicting "old men" having sex with "young girls" and encouraged UC Daughter to masturbate to KORTHALS. KORTHALS also instructed UC Daughter on different ways to engage in sexual activity with her father, OCE.

19. In August 2022, KORTHALS invited OCE and UC Daughter to visit KORTHALS in North Carolina on August 19, 2022, while KORTHALS's wife was out of town. The purpose of the trip was so KORTHALS could engage in sexual activity with UC Daughter. On August 17, 2022, KORTHALS cancelled the meeting because he unexpectedly needed to leave town for a funeral.

20. In November 2022, KORTHALS re-established contact with OCE via text and asked about UC Daughter's sexual activity. KORTHALS also encouraged OCE to purchase an app-controlled vibrator to use on UC Daughter. KORTHALS stated he wanted to be able to control the vibrator from North Carolina.

21. Between November 2022 and April 2023, there was sporadic contact between OCE and KORTHALS. KORTHALS would occasionally reach out via text to ask OCE if he had the vibrator connected and ready for KORTHALS to use on UC Daughter.

22. In June 2023, KORTHALS re-established contact with OCE and UC Daughter though  
MACARON AFF. IN SUPPORT OF CRIM. COMPL. 6

text message and again asked about UC Daughter's vibrator.

23. On June 26, 2023, KORTHALS told OCE to tell UC Daughter to send KORTHALS a picture of herself "in just her panties." KORTHALS later asked OCE if he could directly ask UC Daughter for the picture. Once KORTHALS had permission from OCE, KORTHALS texted UC Daughter and told her to send him a picture of herself wearing "JUST panties."<sup>5</sup> KORTHALS told UC Daughter that he would send UC Daughter a picture when she sent him a picture. Later that day, despite not receiving a picture from UC Daughter, KORTHALS sent UC Daughter a picture of his erect penis. KORTHALS then told UC Daughter, "Your turn."

**C. Identification of KORTHALS**

24. Utilizing the "Alex K." Kik profile, KORTHALS sent OCE a photograph of himself that was taken using the camera in the Kik application. The photograph could only have been created in the Kik application by the Kik user. In other words, someone other than KORTHALS could not have taken this photograph.

25. On May 13, 2022, OCE and KORTHALS switched from direct messaging on KIK to text messages. KORTHALS initiated the conversation by texting OCE on OCE's undercover phone. KORTHALS sent a text message from phone number (XXX) XXX-9851 ("-9851 phone number") with the name "Alex K" as the initial text.

26. Database checks on the -9851 phone number come back to "Willy Alexander KORTHALS." Further database checks and Department of Defense ("DOD") records revealed KORTHALS was an active U.S. Marine until June 22, 2022. The live photograph taken by KORTHALS in the Kik application was compared to KORTHALS's North Carolina driver's

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<sup>5</sup> It is significant that KORTHALS asked OCE for permission to ask UC Daughter for a picture because it indicates that KORTHALS believed that UC Daughter was a minor since he asked her "parent" for permission.

license and both photographs appear to depict the same person. The live photograph from the Alex K Kik account was compared to DOD records and show that KORTHALS is the same person as the person in the photograph sent to OCE by KORTHALS.

**D. Interview of KORTHALS**

27. On June 29, 2023, the FBI and local law enforcement executed a search warrant on KORTHAL's vehicle and person and seized KORTHALS's cell phone that was used to communicate with the OCE. Your affiant and an FBI Task Force Officer conducted an interview with KORTHALS.


28. During the interview, KORTHALS confirmed that he was the person who was communicating with OCE and UC Daughter. KORTHALS admitted to sending a picture his penis to UC Daughter on or about June 26, 2023. KORTHALS claimed that sending the purported 9-year-old a picture of his penis was a "lapse of judgment on his part." KORTHALS also admitted to molesting his 6-year-old cousin when KORTHALS was a teenager.

**IV. CONCLUSION**

29. I submit that this Affidavit establishes probable cause for a warrant to arrest Willy Alexander KORTHALS of the Target Offense.

/s/Melissa A. Macaron  
Melissa A. Macaron  
Special Agent  
Federal Bureau of Investigations

Received by reliable electronic means and sworn  
and attested to by telephone on this 30th day of August, 2023.

  
HONORABLE JOEL C. HOPPE  
United States Magistrate Judge